

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EVELYN MCKINLEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 04-222E
	)	
R. L. BROWNLEE, Acting	)	Chief Magistrate Judge Baxter
Secretary of the Army,	)	
	)	ELECTRONICALLY FILED
Defendant.	)	

**DEFENDANT'S RESPONSE TO PLAINTIFF'S OBJECTIONS  
TO MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

AND NOW, comes the Defendant, R.L. Brownlee, Acting Secretary of the Army, by and through his attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Paul D. Kovac, an Assistant United States Attorney for said district, and files this Response to Plaintiff's Objections to the Magistrate Judge's Report and Recommendation.

Plaintiff's objections do not raise any significant concerns that are not adequately rebutted in the Report and Recommendation and evidentiary record. Moreover, Plaintiff fails to offer any evidence not otherwise considered or case law that has been misapplied. Accordingly, Defendant agrees with the well-reasoned Report and Recommendation of the Magistrate Judge and respectfully requests that it be adopted by this Court.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

s/Paul D. Kovac  
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Dated: January 10, 2007

Counsel for Defendant